Applicant: Bonner-Weir et al. Attorney's Docket No.: 10276-029001 / JDP-044

Serial No.: 09/602,508 Filed: June 23, 2000

Page : 8 of 14

REMARKS

Claims 1-28, 31, 44, 50, 58-60 and 65-67 are canceled without prejudice, claims 1-13, 27 and 28 being previously withdrawn. Applicants reserve the right to pursue any of the canceled subject matter in one or more continuing applications. Claims 29, 32, 41, 45 and 61-64 have been amended. No new matter has been added. Claims 29, 30, 32-43, 45-49, 51-57, 61-64 and 68-73 are pending and under examination.

The present amendment overcomes the Examiner's rejections and places the application in condition for allowance. Therefore, in accordance with MPEP §714.12, Applicants respectfully request that the present amendment be entered and that the application proceed to allowance.

The Claims

The claims are directed to a method of obtaining pancreatic islet cells. The method includes: (a) providing differentiated or adult pancreatic cells substantially free of islet cells, (b) allowing the differentiated or adult pancreatic cells to proliferate to form a population of dedifferentiated pancreatic cells, (c) adding a component of extracellular matrix (ECM) to the population of dedifferentiated pancreatic cells; and (d) growing the cells in the presence of ECM for a time sufficient for the cells to express insulin.

The claims have been amended to specifically recite the steps of allowing the adult differentiated or adult cells to proliferate to form dedifferentiated cells. Dedifferentiated cells have lost their differentiated phenotype and have reverted to a pluripotent state. The claims also specifically include the step of growing the cells in the presence of ECM for a time sufficient for the cells to express insulin.

The amendments are supported by the original claims and throughout the application, e.g., page 2, lines 1-5; page 5, lines 1-8; page 32, lines 5-7.

W

Application No. Applicant(s) SUPPLEMENTARY 10/085,427 BURKE ET AL. Notice of Allowability Examiner **Art Unit** Robert DeBeradinis 2836 -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. This communication is responsive to 8/11/04. 2. The allowed claim(s) is/are 1-46. 3. The drawings filed on ____ are accepted by the Examiner. 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) 🗌 All b) ☐ Some* c) ☐ None of the: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: ____. Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted. (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 5. Notice of Informal Patent Application (PTO-152) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 6. MInterview Summary (PTO-413), Paper No./Mail Date 8/11/04.

ROBERT L. DEBERADINIS PRIMARY EXAMINER

7.

Examiner's Amendment/Comment

8.

Examiner's Statement of Reasons for Allowance

of Biological Material

3. Information Disclosure Statements (PTO-1449 or PTO/SB/08).

4. Examiner's Comment Regarding Requirement for Deposit

Paper No./Mail Date 5/02, 3/03, 9/03,

9.
Other